

**Thomas Jefferson to Robert R. Livingston, November 4, 1803, with Draft , from The Works of Thomas Jefferson in Twelve Volumes. Federal Edition. Collected and Edited by Paul Leicester Ford.**

**TO THE U. S. MINISTER TO FRANCE J. MSS. (ROBERT R. LIVINGSTON.)**

Washington, Nov. 4, 1803.

Dear Sir, —A report reaches us this day from Baltimore, (on probable, but not certain grounds,) that Mr. Jerome Bonaparte, brother of the First Consul, was yesterday<sup>1</sup> married to Miss Patterson, of that city. The effect of this measure on the mind of the First Consul, is not for me to suppose; but as it might occur to him, *prima facie*, that the Executive of the U. S. ought to have prevented it, I have thought it advisable to mention the subject to you, that, if necessary, you may by explanations set that idea to rights. You know that by our laws, all persons are free to enter into marriage, if of 21 years of age, no one having a power to restrain it, not even their

1 November 8. It is now said that it did not take place on the 3d, but will this day.— *T. J.*

parents; and that under that age, no one can prevent it but the parent or guardian. The lady is under age, and the parents, placed between her affections, which were strongly fixed, and the considerations opposing the measure, yielded with pain & anxiety to the former. Mr. Patterson is the President of the Bank of Baltimore, the wealthiest man in Maryland, perhaps in the U. S., except Mr. Carroll; a man of great virtue & respectability; the mother is the sister of the lady of General Saml Smith; and, consequently, the station of the family in society is with the first of the U. S. These circumstances fix rank in a country where there are no hereditary titles.

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Your treaty has obtained nearly a general approbation. The federalists spoke & voted against it, but they are now so reduced in their numbers as to be nothing. The question on its ratification in the Senate was decided by 24 against 7, which was 10 more than enough. The vote in the H. of R. for making provision for its execution was carried by 89 against 23, which was a majority of 66, and the necessary bills are going through the Houses by greater majorities. Mr. Pichon, according to instructions from his government, proposed to have added to the ratification a protestation against any failure in time or other circumstances of execution, on our part. He was told, that in that case we should annex a counter protestation, which would leave the thing exactly where it was. That this transaction had been conducted, from the commencement of the negotiation to this stage of it, with a frankness & sincerity honorable to both nations, and comfortable to the heart

of an honest man to review; that to annex to this last chapter of the transaction such an evidence of mutual distrust, was to change its aspect dishonorably for us both, and contrary to truth as to us; for that we had not the smallest doubt that France would punctually execute its part; & I assured Mr. Pichon that I had more confidence in the word of the First Consul than in all the parchment we could sign. He saw that we had ratified the treaty; that both branches had passed, by great majorities, one of the bills for execution, & would soon pass the other two; that no circumstance remained that could leave a doubt of our punctual performance; & like an able & an honest minister, (which he is in the highest degree,) he undertook to do what he knew his employers would do themselves, were they here spectators of all the existing circumstances, and exchanged the ratifications purely and simply: so that this instrument goes to the world as an evidence of the candor & confidence of the nations in each other, which will have the best effects. This was the more justifiable, as Mr. Pichon knew that Spain had entered with us a protestation against our ratification of the treaty, grounded 1st, on the assertion that the First Consul had not executed the conditions of the treaties of cession; &, 2ly, that he had broken a solemn promise not to alienate the country to any nation. We answered, that these were private questions between France & Spain, which they must settle together; that we derived our

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title from the First Consul, & did not doubt his guarantee of it; and we, four days ago, sent off orders to the Governor of the Mississippi territory & General Wilkinson to move down with the troops at hand to New Orleans, to receive the possession from Mr. Laussat. If he is heartily disposed to carry the order of the Consul into execution, he can probably command a voluntary force at New Orleans, and will have the aid of ours also, if he desires it, to take the possession, & deliver it to us. If he is not so disposed, we shall take the possession, & it will rest with the government of France, by adopting the act as their own, & obtaining the confirmation of Spain, to supply the non-execution of their stipulation to deliver, & to entitle themselves to the compleat execution of our part of the

agreements. In the meantime, the Legislature is passing the bills, and we are preparing everything to be done on our part towards execution; and we shall not avail ourselves of the three months' delay after possession of the province, allowed by the treaty for the delivery of the stock, but shall deliver it the moment that possession is known here, which will be on the 18th day after it has taken place. \* \* \*